



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/594,654	06/15/2000	Brian Stevens	MCL-001XX	9274

207 7590 03/26/2004

WEINGARTEN, SCHURGIN, GAGNEBIN & LEOVICI LLP  
TEN POST OFFICE SQUARE  
BOSTON, MA 02109

EXAMINER

NOBAHAR, ABDULHAKIM

ART UNIT	PAPER NUMBER
----------	--------------

2132

DATE MAILED: 03/26/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

sk

## Office Action Summary

Application No.

09/594,654

Applicant(s)

STEVENS, BRIAN

Examiner

Abdulhakim Nobahar

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:  
  
The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
2. Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claim 22, on line 3 recites "with said intermediary said manager..." which is an unclear statement. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:  
  
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
1. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Edlund et al. (6,085,227; hereinafter Edlund) in view of Buhle et al. (6,286,104 B1; hereinafter Buhle.)

2. Regarding claims 1, 5, 6, 11-15, 18 and 24, Edlund discloses a method and apparatus for operating remote devices over wide area networks such as Internet (col. 1, lines 31-40 and Fig. 1). Edlund further discloses a command processor program corresponding to the recited agent (see, for example, col. 2, lines 64-65 and Fig. 1, block 122 on a device computer 104), a proxy server corresponding to the recited intermediary (see, for example, col. 2, lines 44-46 and Fig. 1) and a client computer corresponding to the recited manager (Fig. 1), which all operate in conjunction with the wide area network. Edlund also discloses that the proxy server is distinct from the remote devices and the client computer has a component through which users issue command to be executed by the command processor program on remote devices (see, for example, col. 2, lines 10-15, col. 3, lines 36-39 and col. 4, lines 24-30). The commands (corresponding to the recited directives) that are issued by the client computers are processed by the proxy sever (i.e., an intermediary) and passed on to the command processor program (i.e., agent) to be executed (see, for example, col. 4, lines 33-39). Although Edlund discloses that only authorized users with proper permission can conduct proper functions (see, for example, col. 4, lines 50-60 and col. 5, lines 12-16), however, Edlund does not disclose an authentication mechanism to be implemented between the client computer, proxy server and the device computer containing the command processor program (i.e., agent). Buhle teaches an authentication method used in an N-tier relational database management system (see, for example, abstract). Buhle teaches that

authentication process is performed between a client and a middle-tier server and between the middle-tier server and a data server that may include digital certificates transmitted between the (see, for example, Fig. 3, blocks 302 and 308; col. 2, lines 52-62).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to implement the an authentication mechanism as taught in Buhle in the method of Edlund, because it would provide a more secure system by limiting the privileges and/or roles of clients and the intermediary server when a client issuing commands through the intermediary (col. 2, lines 1-5).

3. Regarding claims 2, 3, 17, 23 and 25, Edlund discloses that the proxy server displays to the users the results of operations on remote devices caused by users commands (see, for example, col. 2, lines 39-42; col. 3, lines 47-52; col. 6, lines 5-15; Fig. 2, block 210).
4. Regarding claim 4, Edlund discloses that the device server computer that contains the command processor program (i.e., agent) would perform other processing (corresponding to the recited blocking pending receipt of directive from manager) if it has not received results of operation of commands from remote devices (see, for example, col. 7, line 59-col. 8, line 10).

5. Regarding claims 7 and 8, Buhle discloses that in one embodiment the middle-tier server receives users' credentials (i.e., password) from the data server (corresponding to the recited agent) to compare with the ones received from the client (corresponding to the recited manager) or to use when the client authenticating the middle-tier server (see, for example, col. 2, lines 43-62).
6. Regarding claims 9-16, Edlund discloses that the client is a browser and the proxy server is acting as a web server (see, for example, col. 3, lines 37-45; col. 5, lines 49-60).
7. Regarding claim 10, Edlund discloses that the pathways between client and the proxy server and between the proxy server and remote devices are different and the first pathway may comprise Internet (see, for example, Fig. 1 and col. 2, lines 53-54).
8. Regarding claim 19, Edlund discloses that the proxy server is a computer containing memory for storing information such as password that is used during authentication process (see, for example, col. 2, line 55-col. 3, line 9).
9. Regarding claim 20, Edlund discloses that the proxy server would perform other processing (corresponding to the recited blocking pending receipt of directive from manager) if it has not received results of operation of commands from the

device server computer that contains the command processor program (i.e., agent) (see, for example, col. 7, lines 10-30).

10. Regarding claim 21, Buhle discloses that the authentication process may include a digital certificate to ensure the true identity of the server (see, for example, col. 7, lines 36-40).

11. Regarding claims 22 and 26, Edlund discloses that the proxy server includes an ACL database that defines which clients (i.e., manager) may communicate with the remote devices (see, for example, col. 4, lines 53-63).

12. Regarding claims 27 and 28, these claims are rejected as applied to the like elements of claims 1, 10 and 21 as stated above.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent Application Pub. No. 2003/0037160 A1 to Wall et al.

US Patent No. 6,467,088 B1 to alSafadi et al.


US Patent No. 6,070,190 to Reps et al.

Art Unit: 2132

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdulhakim Nobahar whose telephone number is 703-305-8074. The examiner can normally be reached on M-F 8-5.

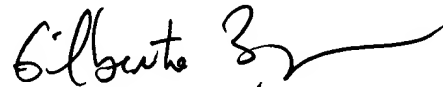
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 703-305-1830. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Abdulhakim Nobahar  
Examiner  
Art Unit 2132

AN  
March 17, 2004



GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100